

**STORAGE NAME:** h0377a.flc

**DATE:** April 18, 2000

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
FAMILY LAW AND CHILDREN  
ANALYSIS**

**BILL #:** HB 377

**RELATING TO:** Child custody jurisdiction and enforcement

**SPONSOR(S):** Committee on Family Law and Children

**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) FAMILY LAW AND CHILDREN YEAS 6 NAYS 0
  - (2) CRIMINAL JUSTICE APPROPRIATIONS (W/D)
  - (3)
  - (4)
  - (5)
- 

**I. SUMMARY:**

This bill creates the Uniform Child Custody Jurisdiction and Enforcement Act, replacing the Uniform Child Custody Jurisdiction Act, currently the law in Florida. The bill is intended to address inconsistent interpretations of the UCCJA among states and federal enactments affecting the UCCJA, while maintaining the original purposes of the UCCJA, to avoid jurisdictional competition and conflict with courts of other states in matters of child custody which have in the resulted in the shifting of children from state to state. Among its primary components, the bill provides for the determination of initial jurisdiction in a child custody case, mechanisms to assume temporary emergency jurisdiction, and procedures for enforcing out-of-state custody orders, including provisions allowing the state attorney and law enforcement to assist in locating the child and enforcing an out-of-state decree. Additional issues addressed by the bill are included in Section II of this bill analysis.

It is anticipated that this bill will have a fiscal impact, but an estimate is not yet available. Please see Fiscal Comments section.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |   |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

**UNIFORM CHILD CUSTODY JURISDICTION ACT**

In 1968, the National Conference of Commissioners on Uniform State Laws ("NCCUSL") promulgated the Uniform Child Custody Jurisdiction Act ("UCCJA") in an attempt to discourage forum shopping and interstate kidnapping of children by their non-custodial parents. The NCCUSL is comprised of commissioners from each state, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands. Their purpose is to promote uniformity in state law and interstate cooperation by developing uniform acts and securing enactment by voluntary action of each state government. Specific acts are drafted by a committee of commissioners assigned for that purpose. A draft must be read at at least two annual meetings, before a vote of states is taken to approve the draft as an act.

The UCCJA, adopted in Florida in 1977 (see ch. 77-433, Laws of Florida (1977)), became law in all 50 states by 1981. The principles involved in the UCCJA attempted to establish jurisdiction over a child custody case in one state and protect the order of that state from modification in any other state, so long as the original state retained jurisdiction over the case. The issues addressed in the UCCJA included whether jurisdiction should be exercised when a court has subject matter jurisdiction and whether the court can modify or enforce an out-of-state custody decree.

**JURISDICTION**

The UCCJA specifically authorizes that jurisdiction can be established in one of four ways: if the state is the child's home state; if the child has significant connections with the state; if the state has emergency jurisdiction; or if the state assumes jurisdiction because no other state has jurisdiction or another state has declined jurisdiction because it is in the best interest of the child. s. 61.1308, Fla. Stat. (1999). Since no priority is established among possible jurisdictions, several states may claim jurisdiction at the same time.

**EXCLUSIVE CONTINUING JURISDICTION**

The UCCJA does not address whether and for how long a decree-granting state retains exclusive continuing jurisdiction. This has resulted in two problems. First, there have been conflicting interpretations among the states of the UCCJA in regards to continuing jurisdiction.

The results include simultaneous proceedings and conflicting custody orders. Second, there are no clear guidelines to determine when a court with continuing jurisdiction has relinquished jurisdiction, again causing simultaneous proceedings and conflicting custody orders.

### **EMERGENCY JURISDICTION**

The UCCJA provides for emergency jurisdiction if the child is physically present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because he or she has been subjected to or threatened with mistreatment or abuse or is otherwise neglected. s. 61.1308(1)(c), Fla. Stat. (1999). There is no clarification as to whether this jurisdiction is permanent or temporary. Also, the language does not take into account a situation of domestic violence where the parent or sibling of the child may be in danger. Different interpretations among the states have allowed for simultaneous proceedings and conflicting custody orders.

### **WHAT CUSTODY PROCEEDINGS ARE COVERED**

The UCCJA provides that a custody proceeding includes proceedings in which a custody determination is one of several issues, such as an action for dissolution of marriage or separation, and includes child neglect and dependency proceedings. s. 61.1306(3), Fla. Stat. (1999). There is no general agreement among the states as to whether the UCCJA applies to neglect, abuse, dependency, guardianship, termination of parental rights, and protection from domestic violence proceedings.

### **ROLE OF “BEST INTEREST”**

The UCCJA provides that a court of this state has jurisdiction to make a child custody determination by initial or modification decree if it is in the best interest of the child because there is significant connection with this state and there is substantial evidence within the state concerning the child’s present or future care, protection, training, and personal relationships. s. 61.1308(1)(b), Fla. Stat. (1999). Although not intended, the “best interest” language has been construed among the states as a way to address the merits of the custody dispute. The UCCJA was intended only has means to address jurisdiction.

### **ENFORCEMENT**

The UCCJA provides for enforcement of custody orders entered in accordance with mandated jurisdictional prerequisites and due process, but does not provide enforcement procedures or remedies. See ss. 61.1328 and 61.1332, Fla. Stat. (1999). Without uniform enforcement procedures or remedies, enforcement mechanisms differ from state to state. Some states tend to limit consideration in enforcement proceedings to whether the court which issued the decree had jurisdiction to make the custody determination, while others broaden the considerations to scrutiny of whether enforcement would be in the best interests of the child.

### **PARENTAL KIDNAPPING PREVENTION ACT**

In 1980, Congress enacted the Parental Kidnapping Prevention Act (“PKPA”), in an effort to resolve conflicts among states claiming jurisdiction on different bases. 28 U.S.C. §1738A. The PKPA based priority jurisdiction in the child’s home state. *Id.* Under the PKPA, courts are required to enforce and not modify out-of-state custody determinations that are consistent with the act. *Id.* The PKPA also provides for warrants for unlawful flight to avoid prosecution in parental kidnapping cases and investigations by the Federal Bureau of Investigations in interstate and international parental abduction cases. *Id.*

## **HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION**

Also in 1980, the United States signed the Hague Convention on the Civil Aspects of International Child Abduction, a treaty designed to address the problem of international parental abduction. 42 U.S.C. §11601 et seq. The Convention requires the return of abducted children to their country of "habitual residence," but enforcement is limited to countries that have signed the treaty. *Id.*

## **OBSTACLES STUDY**

Despite these enactments, parental abduction still exists and parents still obtain conflicting custody orders from different states. In a two year study begun in 1990, the federal Office of Juvenile Justice and Delinquency Prevention identified many problems in the arena of interstate and international custody issues, including: lack of procedures for identifying out-of-state custody proceedings or orders; confusion among states regarding continuing modification jurisdiction and emergency jurisdiction; ambiguity and inconsistency in interpreting the PKPA; lack of effective enforcement procedures; and lack of uniformity in state variations of the UCCJA. *Research Summary: Obstacles to the Recovery and Return of Parentally Abducted Children* (OJJDP) (1994).

In response to the *Obstacles* study, disparate state law interpretation of the UCCJA, and the impact of federal law, the NCCUSL revisited the UCCJA. See Patricia M. Hoff, *The ABC's of the UCCJEA: Interstate Child-Custody Practice Under the New Act*, 32 Fam. L. Q. 267 (1998). Such efforts produced the Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA"), unanimously adopted by the NCCUSL in 1997. *Id.* The act received approval from the American Bar Association House of Delegates in 1998. *Id.* The UCCJEA revises the UCCJA to conform to the PKPA and the Violence Against Women Act, 18 U.S.C. §§ 2265-2266. *Id.* The act also clarifies those areas of the UCCJA that were inconsistently interpreted among the states. *Id.* Initial jurisdiction is determined by a hierarchal approach with home state jurisdiction given priority status as in the PKPA. *Id.* Additionally, methods for expedited interstate enforcement of custody determinations are provided. *Id.* To date, the UCCJEA has been introduced as legislation in 28 states and territories, and has become law in 14 states.

### **C. EFFECT OF PROPOSED CHANGES:**

#### **HOME STATE PRIORITY JURISDICTION**

This bill gives priority to the home state of the child as a basis for taking jurisdiction in a child custody determination. Any state that is not the home state of the child must defer to the home state, if there is one. If there is no home state, jurisdiction is then based on the presence of a significant connection between the child, the child's parents, or person acting as a parent, and a state.

#### **CONTINUING EXCLUSIVE JURISDICTION**

This bill provides for continuing exclusive jurisdiction. If a state takes jurisdiction over a child custody dispute, it retains jurisdiction so long as the state, by its own determination, maintains a significant connection with the parties or until all parties have moved away from the state.

#### **TEMPORARY EMERGENCY JURISDICTION**

This bill provides for temporary emergency jurisdiction, that may evolve into continuing exclusive jurisdiction only if no other state with grounds for continuing jurisdiction can be found or, if found, declines to take jurisdiction. The child's presence and his or her abandonment, mistreatment, or abuse, or threats to siblings or a parent, necessitate the taking of emergency jurisdiction. Any order made by a court claiming emergency jurisdiction is temporary until the matter can be taken up by the state with continuing jurisdiction. If there is a home state, continuing exclusive jurisdiction remains with the home state. If the state with temporary emergency jurisdiction becomes the home state, then as such, it will become the exclusive jurisdiction for any further custody matters.

### **WHAT CUSTODY PROCEEDINGS ARE COVERED**

This bill specifies that a proceeding for dissolution of marriage, separation, neglect, abuse, dependency, guardianship, paternity, termination of parental rights, and protection from domestic violence are covered under this act. Virtually all custody cases are included, with the exception of adoption, proceedings involving juvenile delinquency, contractual emancipation, and enforcement as described in this act.

### **ROLE OF "BEST INTEREST"**

All references to the child's best interest have been deleted. A court should not consider the merits of the case, before finding it has jurisdiction to do so.

### **ENFORCEMENT**

This bill provides for an expedited enforcement proceeding. The scope of the court's inquiry is limited to the issue of whether the decree-granting court had jurisdiction and complied with due process in rendering the original custody decree. Upon the determination that custody decree is entitled to enforcement, the burden shifts to the respondent to show that the custody determination is not entitled to enforcement. The only defenses available to the respondent are that the order was vacated, stayed, or modified by a court with jurisdiction to do so under the act, or lack of notice to a person entitled to notice and opportunity to be heard at the original custody determination.

In instances where it is believed that the child will suffer imminent, serious physical harm or be removed from the jurisdiction once the parent with physical custody learns that a petition to enforce a custody determination has been filed, the notice requirements may be temporarily waived and a warrant issued to take physical custody of the child. Immediately following execution of the warrant, the respondent must receive notice of the proceedings.

The bill provides authorization for the state attorney to locate a child and enforce a child custody determination on behalf of the court. The state attorney is not involved in the proceedings leading up to enforcement or the merits of the case. The involvement of the state attorney may encourage parties to abide by the terms of a custody determination. In like regard, the bill also authorizes law enforcement to assist in locating a child and enforcing a child custody determination when requested to do so by the state attorney. The bill also provides that the state attorney and law enforcement may recover costs and expenses from the non-prevailing party.

**D. SECTION-BY-SECTION ANALYSIS:**

**Section 1.** Provides that the act may be cited as the Uniform Child Custody Jurisdiction and Enforcement Act.

**Section 2.** Provides definitions as used in this act. A definition for “child,” not previously defined in the UCCJA, is provided in this section. Also included are definitions for “abandoned,” “child custody determination,” “child custody proceeding,” “commencement,” “court,” “home state,” “initial determination,” “issuing court,” “issuing state,” “modification,” “person,” “person acting as a parent,” “physical custody,” “state,” “tribe,” and “warrant.”

**Section 3.** Specifies that this act does apply to adoption proceedings or proceedings relating to authorization of emergency medical care for a child.

**Section 4.** Provides that a child-custody proceeding involving an Indian child is only covered by this act to the extent the Indian Child Welfare Act is not applicable. Tribes are to be afforded the status of a state for purposes of this act and a child custody determination made by a tribe in substantial conformity with this act is to be recognized and enforced under this act.

**Section 5.** Provides that a foreign country is to be afforded the status of a state for purposes of this act. A child custody determination made by a foreign country in substantial conformity with this act is to be recognized and enforced under this act, unless the foreign county violates fundamental principles of human rights.

**Section 6.** Provides that a custody determination made by a court, who has jurisdiction as provided for in this act, is binding on all persons who have been served, notified, or have submitted to jurisdiction, and who have had an opportunity to be heard.

**Section 7.** Provides that if jurisdiction is questioned in a child custody proceeding under the act, priority must be given on the calendar and the matter handled expeditiously.

**Section 8.** Authorizes notice and proof of service may be made by any method allowed by either the state which issues the notice or the state where the notice is received.

**Section 9.** Provides that participating in a custody proceeding does not, by itself, give the court jurisdiction over any issue for which personal jurisdiction over the individual is required. If there is personal jurisdiction in this state over a person on a basis other than physical presence, that person is not immune from service of process in this state. If another state has jurisdiction over a person present in this state, that person is not immune from service of process allowable under the laws of the first state.

**Section 10.** Provides authority for a court of this state to communicate with a court of another state. The court may allow the parties to participate in the communication. If the parties do not participate, they must be given the opportunity to present facts and legal arguments before a decision regarding jurisdiction is made. A record of a communication between courts must be made unless the communication is regarding schedules, calendars, court records, or similar matters. A definition of “record” is provided.

**Section 11.** Provides that a party to a child custody proceeding may offer, or the court on its own motion may order, testimony of witnesses located in other states, by deposition or other means allowable in this state. This section provides the modes of communication which are permissible in the taking of testimony and the transmittal of documents.

**Section 12.** Specifies what proceedings a court of this state may ask of a court of another state to hold. This section also describes what documents a court of this state must preserve and authorizes the court to provide certified copies to an out-of-state court.

**Section 13.** Provides jurisdictional rules for an initial child custody proceeding. Priority is given to the child's home state. If home state jurisdiction is not available, jurisdiction may be assumed by a state with which the child has a significant connection. If significant connection jurisdiction is not available, or a court having jurisdiction has declined such jurisdiction, then this state may exercise jurisdiction. Physical presence of, or personal jurisdiction over, a child is not necessary or sufficient to make a child custody determination.

**Section 14.** Provides that the continuing jurisdiction of the original decree state is exclusive and continues until either: the child, the child's parent, and any person acting as a parent no longer has a significant connection to this state and substantial evidence regarding the child is no longer available in this state; or the child, the child's parent, and any person acting as a parent no longer reside in this state.

**Section 15.** Provides that a court of this state may not modify a child custody determination from another state unless a court of this state has jurisdiction to make an initial child custody determination and: the court of the other state no longer has exclusive, continuing jurisdiction or a court of this state would be a more convenient forum; or the child, the child's parent, and any person acting as a parent no longer reside in the other state.

**Section 16.** Provides criteria for establishing temporary emergency jurisdiction in a court of this state. Temporary emergency jurisdiction may be established to protect the child even though the state is not the child's home state and there is no significant connection jurisdiction. A custody determination made under this section is temporary, and remains in effect until the state that has jurisdiction to make an initial child custody determination enters an order. If there is no child custody determination, and a custody proceeding has not been filed in a state that has jurisdiction under this act, an emergency custody determination under this section becomes a final determination when this state becomes the home state of the child.

This section requires communication between the court who has temporary emergency jurisdiction and the court who has jurisdiction to make an initial child custody determination.

**Section 17.** Provides that notice and an opportunity to be heard must be given to all persons entitled to notice under the laws of this state in regards to child custody proceedings. In addition, the obligation to join a party and the right to intervene as a party to a child custody proceedings are governed by the laws of this state.

**Section 18.** Provides that a court of this state may not exercise jurisdiction if a child custody proceeding has been commenced in another state having jurisdiction under this act, unless those proceedings have been terminated or stayed. This section also provides criteria for a court of this state to determine whether proceedings in this state may continue or must be stayed or dismissed.

**Section 19.** Provides criteria for a court of this state to determine if this court is an inconvenient forum and whether a court of another state is a more appropriate forum. If a court of this state determines that it is an inconvenient forum and that a court of another state is more appropriate, the proceedings should be stayed.

**Section 20.** Provides that a court of this state must decline to invoke jurisdiction, if jurisdiction is available only because of unjustifiable conduct of one of the parties. This section provides

exceptions to the denial of jurisdiction due to unjustifiable conduct including: all parties have acquiesced to jurisdiction in this state; a court of a state having jurisdiction determines that this state is a more appropriate forum; or no court of any other state would have jurisdiction.

This section authorizes a court of this state, that declines jurisdiction due to unjustifiable conduct, to fashion a remedy for the safety of the child and to prevent a repetition of the unjustifiable conduct. This section also provides authority to assess fees, costs, and expenses against the party who acted unjustifiably.

**Section 21.** Provides what information must be given to a court of this state regarding custody, status of any other proceedings regarding the child, and identifying information about the child and the parties, subject to local laws regarding confidentiality of information in certain cases.

**Section 22.** Authorizes a court of this state to order any party to a child custody proceeding to appear before the court. In addition, the court is authorized to enter any orders necessary to ensure the safety of the child and of any person ordered to appear under this section.

**Section 23.** Provides definitions for “petitioner” and “respondent” in regards to an enforcement proceeding.

**Section 24.** Provides authority for a court of this state to enforce an order for the return of a child made under the Hague Convention on the Civil Aspects of International Child Abduction.

**Section 25.** Provides that a court of this state has a duty to enforce a child custody determination of another state, if the court of the other state had jurisdiction in substantial conformity with this act. In addition, a court of this state may use any remedy available under laws of this state to enforce a child custody determination of another state.

**Section 26.** Provides authority for a court of this state to enter a temporary order enforcing a visitation schedule or nonspecific visitation provisions within a child custody determination made by a court of another state. The court must specify how long the order is effective.

**Section 27.** Provides procedures for registering an out-of-state child custody determination in this state.

**Section 28.** Provides permissive authority for a court of this state to grant any relief available under the laws of this state to enforce an out-of-state child custody determination that is registered in this state. The court may not modify a registered determination unless it has jurisdiction to make an initial determination and the decree-granting state has determined it no longer has exclusive, continuing jurisdiction or that this state would be a more convenient forum, or either court determines that the child, the child’s parents, and any person acting as a parent do not currently reside in the decree-granting state.

**Section 29.** Provides that if a proceeding for enforcement has been commenced in a court of this state and the court determines that a modification proceeding is pending in another state that has jurisdiction to modify, the enforcing court must immediately communicate with the modifying court. The enforcement proceeding will continue unless the enforcing court stays or dismisses the proceeding.

**Section 30.** Provides procedures for, and information needed in, filing a petition for enforcement of a child custody determination made by a court of another state.



**Section 31.** Provides that the respondent and any person who has physical custody of the child must be served with the petition and order by any method authorized by the laws of this state.

**Section 32.** Provides procedures involved in an enforcement hearing. The court must order the petitioner to take immediate physical custody of the child, if it finds that the petitioner is entitled to such custody. This section also provides exceptions.

This section provides that the court may draw an adverse inference from a party's refusal to answer on the ground of self-incrimination.

This section eliminates the privilege against disclosure of communications between spouses and defenses of immunity bases on the husband and wife relationship or on the parent and child relationship. This provision only applies to enforcement proceedings.

**Section 33.** Provides a remedy for emergency situations where there is a reason to believe that the child will suffer imminent, serious physical harm or be removed from the jurisdiction once the respondent learns that the petitioner has filed for an enforcement proceeding. The court must hear the testimony of the petitioner or another witness prior to issuing the warrant. If the court finds that the potential for harm exists, it may temporarily waive the notice requirements and issue a warrant to take physical custody of the child.

This section requires the court to state the reasons for the issuance of the warrant, direct law enforcement to take physical custody of the child immediately, and provide for the placement of the child pending final relief. Immediately after the warrant is executed, the respondent is to receive notice of the proceedings. This section gives law enforcement the authority to enforce the warrant throughout this state. Also, this section allows the court to authorize entry upon private property to pick up the child if no less intrusive means are possible. In extraordinary cases, the warrant may authorize law enforcement to make forcible entry at any hour.

This section authorizes the court to utilize whatever means are available under local law to ensure the appearance of the child and the child's custodian at the enforcement hearing.

**Section 34.** Allows the court to award costs, fees, and expenses to the prevailing party, including the state, unless the non-prevailing party shows that the award would be clearly inappropriate. Fees, costs, or expenses may not be assessed against a state unless authorized by law other than this act.

**Section 35.** Provides that a court of this state must give full faith and credit to an order for enforcement issued by another state and consistent with this act, unless the order has been vacated, stayed, or modified by a court with jurisdiction under the act.

**Section 36.** Provides that an enforcement order may be appealed as an expedited civil matter. The order may not be stayed by the court pending the appeal.

**Section 37.** Authorizes the state attorney to take any lawful action if there is: an existing child custody determination; a request to do so from a court in a pending child custody proceeding; a reasonable belief that a criminal statute has been violated; or a reasonable belief that the Hague Convention on the Civil Aspects of International Child Abduction has been violated.

This section specifies that a state attorney is acting on behalf of the court and does not represent any party.

**Section 38.** Authorizes law enforcement officials to assist in locating a child and enforcing a custody determination when requested to do so by the state attorney.

**Section 39.** Authorizes the state attorney and law enforcement to recover direct expenses and costs against the respondent if he or she is not the prevailing party.

**Section 40.** Provides that when applying and construing this act, the need to promote uniformity of the law must be considered.

**Section 41.** Provides that the invalidity of one section of this act does not affect the validity of any other section that can be given effect without the invalid section. Provisions of this act are severable.

**Section 42.** Provides that a motion that is filed prior to enactment of this act may be completed under the laws in effect at the time the motion was filed.

**Section 43.** Amends section 39.502(7), Florida Statutes, to conform statutory language.

**Section 44.** Amends section 61.13(2)(b), Florida Statutes, to conform statutory language.

**Section 45.** Amends sections 741.30(3)(d), 741.30(4), and 741.30(7)(a), Florida statutes, to conform statutory language.

**Section 46.** Repeals the Uniform Child Custody Jurisdiction Act, sections 61.1302 through 61.1348, Florida Statutes.

**Section 47.** Provides an effective date of October 1, 2000.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments section.

2. Expenditures:

See Fiscal Comments section.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

See Fiscal Comments section.

2. Expenditures:

See Fiscal Comments section.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See Fiscal Comments section.

D. FISCAL COMMENTS:

The Office of State Courts Administrator has determined this bill would have no fiscal impact on the State Courts system. The Florida Department of Law Enforcement and the Florida Prosecuting Attorney's Association have been contacted for their input, but no data has been received.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or take an action requiring expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties to have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of state sales tax shared with municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

**STORAGE NAME:** h0377a.flc

**DATE:** April 18, 2000

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VII. SIGNATURES:

COMMITTEE ON FAMILY LAW AND CHILDREN:

Prepared by:

Staff Director:

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Maggie Geraci

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